

CLERK: Mr. President, Senator Chambers moves that 711 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, when the Governor's message on this bill came over, I was upstairs in my office and I heard words like monstrosity, atrocious and duplicity and I thought the Governor was writing his autobiography because he had shown such compassion, restraint and sensitivity in his choice of language, and when I found out that it was with reference to my bill, I figured that the only reason he is being so kind to me is because of how kind I have been to him on various issues like LB 902. But nevertheless, he decided to send the bill back. He said that it could be a monstrosity. He talked about it shackling the State Supreme Court and a lot of other things that could not possibly happen under this bill. First of all, at the hearing, there was no opposition. The Attorney General's office did not come in to oppose it. I talked to the State Court Administrator and the State Supreme Court is well aware of the bill and they wanted to take no position on this bill, just like they take no position on other bills, except those that relate to the internal workings and operation of the court, itself. Now in offering this bill, a reporting procedure was necessary to compile the information. Earlier the Legislature already passed LB 749 which does help collect the information, the Governor signed it, and that bill is in place now and county attorneys have begun to forward information to the State Court Administrator's Office already. Senator Stoney and others on the Judiciary Committee know that when I offered the two bills they were offered in tandem. 711 was taken, then LB 749, and I made it clear that LB 749 was to help get the information which would be the basis for the comparison that would occur in LB 711. The Governor said this is an issue of the abolition of capital punishment. It is not. There are people like Senator Luedtke and Senator Burrows who I know are for the death penalty but they voted for this bill because they see it for what it is, a comparison to try to bring about uniformity. The Governor stated in his veto message that he was in favor of bringing about some kind of uniformity in the imposition of the death penalty. Nobody and no group in the state has ever brought forth a proposition to create uniformity. This is the only proposal since I have been in the Legislature or since I have been able to do any reading about the Legislature which tries to bring about uniformity. Let me read you something that ole razor blade tongue said. I call him that sometimes. On the second page, he says that possibly a legislative study committee should review this situation and consider legislation in effect in at least the State of New Hampshire where the State Attorney General is charged with the responsibility of handling all homicide cases. Now how in the world could that happen in the State of Nebraska when the Attorney General cannot handle adequately the duties he has now. There would be simultaneous prosecutions throughout the state and he could not be at all of them. There would be plea bargains which the Governor says he does not like because the pressure of trying to prosecute all these cases would make it impossible to give the time in a timely fashion to the prosecution, so if somebody would plead guilty to a lesser offense, there